

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

Roberto Ruiz, and )  
Andres Monterroza )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
Sea Cap, Inc. and, )  
Jason Spitz, *individually*, )  
 )  
Defendants. )  
 )  
Civil Action No.: 1:20-cv-11920

**JOINT STATEMENT PURSUANT TO  
FED. R. CIV. P. 26(f) AND LOCAL RULE 16.1**

After conferring pursuant to Fed. R. Civ. P. 26(f) and Local Rule 16.1(B), the parties submit this joint statement and respectfully request this Court approve the following Proposed Pre-trial Schedule:

## **Agenda for Initial Scheduling Conference**

1. Discovery Events
2. Anticipated Motions - the parties may file Motions for Summary Judgment, either at the conclusion of discovery, or in the alternative, based on a stipulated set of facts.
3. Settlement and ADR

## **Proposed Pre-trial Schedule**

The parties jointly propose the following discovery plan and pre-trial schedule:

<b>EVENT</b>	<b>DEADLINE</b>
Service of initial disclosures	March 5, 2021
Discovery completed (other than expert discovery, if needed), i.e., all depositions	October 1, 2021

completed and responses to written discovery served	
Expert Discovery (if needed) <ul style="list-style-type: none"> <li>a. Plaintiffs' expert disclosure deadline</li> <li>b. Defendant's expert disclosure deadline</li> <li>c. Depositions of all experts, if any.</li> </ul>	<ul style="list-style-type: none"> <li>a. August 2, 2021</li> <li>b. September 2, 2021</li> <li>c. November 1, 2021</li> </ul>
Filing of dispositive motions	January 31, 2022
Final Pretrial Conference	To be determined

### **Electronic Discovery**

Pursuant to Rule 16 and 26(f), the parties will confer following service of each party's document requests to determine whether particular electronic discovery processes should be implemented.

### **Discovery Limitations**

The parties are obligated to limit discovery as set forth in Fed. R. Civ. P. 26(b).

### **Trial by Magistrate**

The Parties do not consent to a trial by a magistrate judge.

### **Settlement Proposals**

Prior to filing this case, counsel for the Plaintiffs presented a written settlement demand to Defendants, and Defendants responded to same. Counsel continue to confer with their respective clients regarding the same.

### **Local Rule 16.1(D)(3) Certifications**

The parties will file their certifications pursuant to Local Rule 16.1(D)(3) separately.

**Joint Pre-Trial Memorandum and Trial Readiness**

The parties will submit a Joint Pre-Trial Memorandum and be ready for a Pre-Trial Conference in this action within 60 days after the date of a final ruling by the Court on all dispositive motions, or within 60 days after the due date for dispositive motions, if no such motions are filed.

**Assent to Scheduling on Written Submission**

Per the Court's order of January 15, 2021, the Parties do not object to the court setting the schedule on the written submission.

Respectfully submitted,

Plaintiffs,

By their attorney,

*/s/ Michael J. Bace*

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Dated: January 27, 2021

Defendants,

By their attorney,

*/s/ Brian J. Bouchard*

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**CERTIFICATE OF SERVICE**

I hereby certify that on January 27, 2021, a copy of the foregoing document was filed electronically through the Court's ECF system.

*/s/ Brian J. Bouchard, Esq.*  
Brian J. Bouchard